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~~DEA DATE~~ 16 NOV 91

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~~DOCKETED~~

Consultant
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~~NOTED~~

JHB/JB/29136
23rd August 1991

Attention: Ronald A. Krasnow

RECEIVED
PHILIP MORRIS MANAGEMENT CORP
LAW DEPT-PATENT SECTION

Dear Ronald,

PM-1267 CIP European
Our File: 29136

COPY

SEP - 3 1991

NOTED Follow

I enclose a copy of the first action issued on this case. The term for reply will expire on 16th December next.

(1) The documents relied upon by the Examiner are the references of Roselius (D1) and Von Bethmann et al (D2) which we have already discussed in connection with, for example, the action on the corresponding Finnish application.

I am not aware of the latest position in the corresponding U.S. application but, subject to any late development there, you may wish us to proceed in the European office along similar lines to those followed in Finland or, for that matter, in Australia.

(2) A further reference is cited here, namely U.S. 2 227 863 (D3) and the Examiner explains why he believes that this reference anticipates the claim to the extraction process. As in the claim to the entrapment or recovery process, this objection would apparently be avoided by defining the conditions under which the solvent is employed.

(4) We are asked to justify any amended claim by explaining any unexpected advantages achieved. Please let me know whether you have any additional information along these lines, but there is no doubt some material in the existing specification and the same point must also have been considered in the Finnish application.

(5) These are formal matters which I can deal with, although I am inclined to ask that amendment of the description should be deferred until

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we have agreed the claims, since it is undesirable to spend time making amendments which may subsequently have to be discarded in favour of yet further amendments.

Please let me have your instructions.

Yours sincerely,

J. H. Bass

c.c. Beverly A. Monroe (Philip Morris Management Corp.) w/e

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